GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA

STARRED QUESTION NO:229
ANSWERED ON:01.08.2017
Eco-Sensitive Zones
Singh Deo Shri Kalikesh Narayan

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether the Supreme Court had issued directives for creation of Eco-Sensitive Zones around National Parks and had also specified certain conditions in this regard;
(b) if so, the details thereof;
(c) whether the Government has taken steps to ensure/maintain the sanctity of Eco-Sensitive Zones around National parks and if so, the details thereof; and
(d) whether permission is required to be taken to alter or terminate water bodies or watersheds around Eco-Sensitive Zones and if so, the details thereof?

Answer

MINISTER FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE
(DR. HARSH VARDHAN)

(a),(b),(c) and (d) A Statement is laid on the Table of the House.

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STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF THE LOK SABHA STARRED QUESTION NO *229 REGARDING 'ECO-SENSITIVE ZONES' BY SHRI KALIKESH N. SINGH DEO DUE FOR REPLY ON 01.08.2017.

(a) and (b) Yes, Sir. Hon'ble Supreme Court had issued directives for creation of Eco-Sensitive Zones around National Parks.

While hearing the Writ Petition No. 460/2004, on 4th December 2006, Hon'ble Court had directed the Ministry of Environment and Forests to give a final opportunity to all States/Union Territories to respond to the letter dated 27.5.2005.

The Ministry of Environment and Forest had vide letter dated 27.5.2005, communicated the decision of the National Board for Wildlife of 17th March 2005 and had requested for submission of site specific proposals for declaration of Eco-Sensitive Zones around National Park and Sanctuaries.

Hon'ble Court had also mentioned the following in the said order:

(i) If the proposals are not received within a period of four weeks of communication from the Ministry, the Court may have to consider passing orders for implementation of the decision that was taken on 21st January, 2002, namely, notification of the areas within 10 km. of the boundaries of the Sanctuaries and National Parks as eco-sensitive areas with a view to conserve the forest, wildlife and environment.

(ii) The MoEF would also refer to the Standing Committee of the National Board for Wildlife, under Sections 5(b) and 5(c) (ii) of the Wild Life (Protection) Act, the cases where environment clearance has already been granted where activities are within 10 km. zone.

(c) The important steps to ensure/maintain the sanctity of Eco-Sensitive Zones around National parks include:

(i) In pursuance of the said order, the Ministry of Environment and Forest issued an Office Memorandum No. J-11013/41/2006-IA. II(I) dated 2nd December 2009 stipulating that while granting environmental clearance to projects located within 10 km of National Parks and Sanctuary, a specific condition shall be stipulated that the environmental clearance is subject to their obtaining prior clearance from Standing Committee of National Board for Wildlife.

(ii) In 2011, the Ministry prepared guidelines for facilitating submission of proposals.

(iii) The Eco-Sensitive Zone (ESZ) Notifications are issued under the Environment (Protection) Act, 1986 and contains Permitted; Regulated and Prohibited activities.

(iv) The activities in the ESZ are monitored by a Monitoring Committee, chaired by the District Collector as the chairman and the DCF of the concerned National Park/Sanctuary as the Member Secretary.

(d) All activities in the Eco sensitive Zone are governed as per the provisions contained in the Notification.

Activities for altering or terminating water bodies or water sheds around eco-sensitive zones are governed by provisions of the Environment (Protection) Act, 1986 and the rules made there under. Other applicable laws including the Forest (Conservation) Act, 1980 are also applicable.

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